

## Three Step Process for Getting a Divorce

- I. -Take Divorce Complaint (and 2 copies), Agreed Parenting Plan (copy only), Summons, Certificate of Divorce or Annulment, Affidavit of Indigency, Report of Income, and Order to no Fee Parenting Education to the Courthouse and give it to the Clerk for filing.

-When your spouse is served, you must wait 30 days before setting a court date.

### **-How do I know when my spouse is served?**

If you have a good address for your spouse, and he or she is served personally, it is your responsibility to call the Clerk and ask her the date of service; if your spouse was served by Secretary of State, it is your responsibility to call the Clerk and ask her if the Affidavit from the Secretary of State has been returned.

**-COUNT** - On the day after your spouse is served these papers, or the day after the date the Secretary of State indicates your spouse picked up his papers, start counting 30 days. At the end of the thirty days, go to the Clerk's office again, and ask that your case be placed on the docket for hearing. The Clerk will give you the time and date that you must come to court. Complete the Motion for Default, and give it to the Clerk for filing. Be sure to get a copy from the clerk, and mail it to your spouse by certified mail. The Motion for Default must be mailed to your spouse at least ten (10) days before your hearing date.

- II. - **GO TO COURT.** Take the Final Decree and the Script with you to court.

- **WAIT** in the Courtroom until you hear your name called, hand the Bailiff your copy of the Final Decree to give to the Judge, let the Judge swear you in and take a seat in the witness stand. When the Judge is ready for you to start, begin reading your script. Answer any additional questions that the Judge may ask you.

- **CHECK** with the Clerk **Before** you leave to get a stamped "Filed" copy of your Final Decree, and a "Certified" copy to mail to your spouse.

- **MAIL** the Certified copy of the Final Decree to your spouse. If you do not know where your spouse lives, mail to the last known address. **You are not divorced if you fail to do this step!**

- III. - **MAIL** the postcard to the Legal Aid office with your name and the date your divorce was final, after your divorce hearing. This is a courtesy to our office, so please make sure to do this. Thank you in advance for your cooperation.

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<b>RULES:</b>	-	BE POLITE AND COURTEOUS
	-	DO NOT WEAR SHORTS OR OTHER INAPPROPRIATE CLOTHING TO COURT
	-	DO NOT CHEW GUM IN THE COURTROOM
	-	KEEP ANSWERS SHORT AND TO THE POINT IF THE JUDGE ASKS YOU ANY QUESTIONS, AND TRY TO KEEP CALM.
	-	DO NOT BRING CHILDREN WITH YOU TO COURT. CHILDREN ARE NOT ALLOWED IN THE COURTROOM.
	-	AT THE FINAL HEARING, THE JUDGE WILL TAX ALL COSTS TO THE DEFENDANT, BUT IF THE COURT CANNOT GET THE MONEY FROM THE DEFENDANT, YOU WILL BE TAXED COSTS.

